

**DISTRICT VI ADVISORY BOARD**  
**Minutes**

**Monday**  
**October 6, 2003**  
**7:00 p.m.**

**Evergreen Recreation Center**  
**2700 N. Woodland**  
**Lounge Clubroom**

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The District VI Advisory Board Meeting was held at 7:00 P.M. at Evergreen Recreation club lounge room. In attendance were the District VI City Council Member, ten (10) District Advisory Board Members, five (5) city staff, and (9) citizens. Approximately 24 were in attendance.

**Members Present**

Council Member Sharon Fearey  
Bob Schreck  
Rick Shellenbarger  
Rosalie Bradley  
Sandra Whittington  
Maurine Willis  
Bob Wine  
Dick Rumsey  
John Guthridge-alternate  
Bickley Foster  
Rob Johnson- alternate  
Daniel Ramirez- youth

**Member Absent**

Jaya Escobar  
Paul Daemen-on leave  
Annie Best  
Art Marquez

**Guests**

Listed at end

**Staff**

Officer Luis Franco, Patrol North  
Sgt. Bolan, Patrol West  
Terri Dozal, Neighborhood Assistant  
Rob Younkin, Public Works  
Bill Longnecker, Planning

**Call to Order**

**Council Member Fearey** called the meeting to order at 7:00 P.M. and welcomed guests. DAB members were asked to introduce themselves and the area they represented.

**Approval of Minutes**

The minutes for September 8<sup>th</sup> were approved with the following amendments: page 3 under the Grandfather clause on 13<sup>th</sup> and Biting Mobile Home Park, the question was asked how much for a park license? Response is to read it depends on the size per lot maybe \$30-40 and not the size of the park. **(Wine/Rumsey 10-0)**

**Approval of Agenda**

The agenda was approved as submitted. **(Schreck/Foster 10-0)**

**Public Agenda**

*No items were presented*

**STAFF PRESENTATIONS**

1. **Community Police Report**

*Officer Franco, Patrol North* discussed there had been two gang related shootings over the weekend; one was at 15<sup>th</sup> & Emporia. We are monitoring North High School because of a drug deal that had gone bad. We are doing a plain clothes investigation for gang graffiti along with a sting with 3<sup>rd</sup> shift officers. The north side always has a large amount of graffiti. I have been meeting with Burlington Northern Railroad staff about the enforcement of city ordinances about trains sitting on the tracks for long periods of time. I will continue to meet with the railroad companies as this pertains to life safety issues.

**Council Member Fearey** stated to promptly notify the Police about graffiti so it can get covered quickly and notify your neighbors.

**Member Bradley** asked if the ordinance states the owner is to take care of the graffiti? *Franco* responded yes.

*Sgt. Bolan Patrol West* stated Officer Kyle was on vacation. We are collecting sports equipment for the soldiers overseas in Iraq. We have drop boxes in all patrol stations for baseball & used equipment if you are interested in donating. We are starting to work on the Christmas crusade for children.

**Member Schreck** asked if there is an ordinance about kids playing in cul-de-sacs? *Bolan* responded if this is a problem where kids are getting in the traffic or causing safety issues we can contact the parents.

**\*\*\*\*\* Action Taken: Receive and file**

2. **CON2003-00037/ZON2003-00047**

District VI Advisory Board (DAB) considered a Conditional Use to allow a car wash within 200 feet of a residential zoning district and a zone change of "TF-3" to "LC" Southeast corner of the 21<sup>st</sup> Street North – Arkansas Avenue intersection, 2146 North Arkansas.

The DAB Members were provided the public notice and MAPD staff comments for review prior to the meeting. *Bill Longnecker, Planner* presented the case and reviewed the staff recommendation with members and the public.

*Russ Ewy*, agent for the applicant discussed since the July 16<sup>th</sup> DAB meeting 1) additional lots had been purchased to provide for the car wash; 2) detail parking would now be on the north side of the property; 3) only 250 ft of the alley would be paved just for their property and the applicant did not have a problem with item G; 4) yes, there would be a problem if they had to pave the entire length and width of the alley unless it was due to the draining that needed to go to the alley and 5) 10ft ROW shown on staff report is not noted on the site plan, this would need to be determined at the time of platting and review from the Traffic Engineer.

No members of the public spoke on this case.

**The DAB Members expressed the following:** 1) Why would the applicant be required to pave the entire alley; 2) doesn't look like the City has maintained the alley; 3) residents to the south of proposed car wash-do they have garage accesses through the alley; 4) would there be a sidewalk added on the west side of Arkansas and 5) suggest to place shrubbery on the outside of the landscape wall to deter graffiti.

**\*\*\*\*\* Action taken:** DAB members voted to recommend Approval of the requests based on Staff recommendations with exception to item G. "The applicant shall provide guarantee for paving the length and entire width of the alley where it abuts the site's west side. Improvements will be to City Standards, including drainage approved by the Public Works Engineer." (Rumsey/Willis10-0)

3. **Massage Ordinance Revision**

*Jack Brown, Environmental Health Director* presented the new revisions to the ordinance. *Brown* stated the outdated language has been replaced; requirements considered illegal or outdated have been eliminated. The new code also requires liability insurance, allows mobile

operations and requires a modest amount of continuing education. Also included are therapist permits to reflect recommendations of national massage organizations. Professional individuals have reviewed these new revisions.

Following are comments or questions from the DAB members: *responses are in italics*

- Why is the City required to be on the policy? *Since the city issues the permit it is to maintain standard procedure, licensing and protection for the City.*
- When you met with the professional individuals were they objecting to the \$500,000 fee? *No*
- How was this initiated? *The Board of Health was approached to review and to look at keeping up with today's times and education of the therapists.*
- Education requirements are a key factor; this is a very lengthy ordinance and this group agreed to \$500,000 Insurance? *Yes, our Law and staff discussed this with them.*
- Who do they get education from? *Schools in Wichita.*
- If you're a massage therapist in a beauty shop, do they have to pay the \$500,000?
- Do we have an ordinance for Chiropractors?
- Can we umbrella some under same ordinance, like acupuncture and massage?

*Lee Luckinbill, massage therapist* stated that Chiropractors are covered under the Board of Healing Arts with the State. If someone is covered under State law, \$500,000 is no big deal, we pay up to \$2 million. We wanted more education and 500 hrs is a small regulation. Massage Therapy is a health aid; we deal with people's health. I want liability- professional insurance with the city so I can practice in my area.

**Member Foster** asked what is the effect because of the ordinance change? *Luckinbill* responded this is not designed to put out a business group. It takes four years to get 150 hrs. If someone is self-trained they can test out and still be able to work. **Foster** asked do you feel comfortable with the fees? Yes, the city will be seeing income, due to a massage therapy permit and business license now required. **Foster** suggested for City Council to review in one year to see if this is working. Good Luck.

*Luckinbill* stated she had worked on this for three years before coming to the city and environmental health.

\*\*\*\*\* **Action Taken:** DAB Recommends revision of Chapter 3.56 of the City Code with the understanding for this to be reviewed in one year's time. **(Foster/Schreck 10-0)**

4. **Improvement of the 21<sup>st</sup> Street Bridge at St. Francis**

*Rob Younkin, Public works staff* returned to present two options for the reconstruction of the 21<sup>st</sup> street bridge at St. Francis. *Younkin* responded on some inquiries that were made at the September 8th DAB meeting on conditions of the present bridge. Photographs were presented to show the bridge deterioration and it's need for replacement. Option 1 would close thru traffic for a period of six months and Option 2 would construct the new box culvert in two phases, phase 1 would be completed in five months and phase 2 completed in 4 months.

**Member Foster** asked what do you put into the construction contract to get the job done as soon as possible. Mike Lindebak, representative stated that goals are built into the contract to get the project done and if not the contractor is penalized by a dollar figure. **Foster** asked if this was as fast as possible on this project and why it's costing almost 50% more to do option 2? The response was yes this project was slated to be done as fast as possible and the cost is 40% more. 80% construction costs will come from federal funds.

**Member Schreck** stated this area was closed for the interstate construction, and now this bridge and then it will be the railroad tracks. Is there to be continuous work on this Road? Response was No. **Schreck** continued to ask how wide was the bridge? Four 11ft. wide lanes and no left turn lane. If there is future 21<sup>st</sup> street widening the box culvert will make it easier to fit. That's the reason for this type of construction.

**Member Shellenbarger** asked how old was the structural assessment and what is the load of the bridge? Noted the assessment was done last year and I don't know the load of the bridge, as it was never posted. If option 2 is chosen, will this change the load stress? No

**Foster** asked what time of year would this begin? Not until April for 1<sup>st</sup> phase and to be completed as noted.

*Dennis Sanders, Retail Business - Car Smart:* we were shutdown 9-10 months before. We rely on drive by sales to stay in business and keep people employed. You make this impossible to stay open. It would be easier to take this – 1-2 years later since the I-135 shutdown. We went 80% down on sales. 90% of our business is from 21<sup>st</sup> street. This is a dramatic impact.

*John Michlitsch, Auto Truck Salvage:* before we had one lane of traffic and business dropped 40%. Road closed sign was posted at 21<sup>st</sup> & Broadway. The signage distorts view. My business relies on drive by sales. People call and ask how to get to my business. Maybe the City could compensate us during this and we pay back later. I will need to down size.

*Michael Duke Marks, Duke Docks:* Once everything is done this will be a nice road. The Train traffic from 7:30 – 8:00 am – 4 - 5 pm is terrible. I'm all for working with the city to allow access through my property to continue East/West traffic flow. Younkin responded we need the DAB to recommend an option. This is a public safety issue and the City cannot risk liability going on private property. We have looked at the traffic concerns and there will still be more traffic flow than before when I-135 was closed.

**Member Schreck** stated this should have been done during the closure of I-135. It hurt the business then. A culvert needs to be put in to allow traffic flow. These people have been punished enough along with the people being put out of work due to this project.

**Member Whittington** indicated City staff did not meet with the business owners prior to this meeting for more input.

**\*\*\*\*\*Action Taken:** DAB recommends Option 2 for construction of the bridge and to include a shoe fly either on the north/south side of the businesses to maintain traffic flow.

### **BOARD AGENDA**

#### **5. Problem Properties**

- On weekends north of the interstate on Meridian to 53<sup>rd</sup>. Cars for sale
- 1326 N. High- tall grass, weeds, refrigerator and old shed
- 1303 N. High- junk cars

**\*\*\*\*\*Action taken:** Receive and propose appropriate action.

6. **Neighborhood Reports**

- Delano Fair- October 12th
- Historic Midtown Citizens Association- Walking Tour on October 11<sup>th</sup> and 12<sup>th</sup>.
- Looking at funding for the Girl Scout little house
- Moorings - Bachman office old cars display on Oct. 12<sup>th</sup>.
- North Riverside Association neighborhood clean- up on Oct 11<sup>th</sup>.
- North end clean up also Oct 11<sup>th</sup>.

\*\*\*\*\***Action Taken:** Receive and file

**Member Schreck** inquired when the Fireworks Task Force would start meeting again.

With no further business to discuss, the meeting adjourned at 9:28 p.m.

**Guests**

Russ Ewy	315 Ellis, 67211
Dennis and Daniella Sanders	689 E. 21st
Jerry Prichard	1607 N. Clarence
Don & Carolyn Brand	2134 N. Arkansas
Berle Willis	3834 Woodrow
Lee Luckingbill	435 N. Mosley, 67202
Mike Lindebak	8771 W. Northridge Ct.

Respectfully Submitted,

Terri Dozal  
6<sup>th</sup> District Neighborhood Assistant